

AARON D. FORD
Attorney General
Adam Woodrum (NV Bar No. 10284)
Deputy Attorney General
State of Nevada
Office of the Attorney General
100 N. Carson Street
Carson City, NV 89701
(775) 684-1100 (phone)
(775) 684-1108 (fax)
AWoodrum@ag.nv.gov
Attorneys for Respondents

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MELANIE OCHS,

Petitioner,

vs.

JERRY HOWELL, et al.,

Respondents.

Case No. 2:16-cv-00982-JCM-DJA

**STIPULATED EXTENSION OF TIME FOR
COMPLIANCE WITH JANUARY 17, 2023
ORDER (ECF NO. 66)**

(Second Request)

On January 17, 2023, this Court entered its final judgment (ECF No. 67), granting in part Melanie Ochs's Amended Petition for Writ of Habeas Corpus (ECF No. 18), and enforcing the Ninth Circuit Court of Appeals decision to reverse Melanie Ochs state conviction for first-degree murder (ECF No. 62). This Court instructed:

Petitioner Melanie Ochs shall be released from all custody and/or other restraints, including parole or other supervision, unless the state, through the respondents, files a written election in this matter within 30 days of the date of this order of its intention to retry Ochs and thereafter commences jury selection in the retrial within 120 days following the election to retry Ochs, subject to reasonable requests for modification of the time periods.

ECF No. 66.

Since the Court's January 17, 2023 order, the parties sought and received one extension. ECF No. 69. The expiration of time to file a written election of the intent to retry Ochs will expire on March 20, 2023. However, good cause exists to extend the deadlines established by the Court.

...

IT IS HEREBY STIPULATED AND AGREED that:

1. Undersigned counsel for Melanie Ochs, state trial counsel for Melanie Ochs, and the state district attorney recently conferred via email and agreed to move federal deadlines in order to continue negotiations in advance of an April 11, 2023 status check hearing in state court. The parties have not been able to complete these conversations and additional time is required in the interest of justice.

2. The parties agreed to ask that this Court extend the deadline to file the notice of the intent to retry Melanie Ochs by an additional thirty-one days, or until Thursday, April 20, 2023; and that the deadline to commence jury selection also continue for 120 days following the filing of the election to retry, so that they may continue these discussions.

Dated this March 15, 2023

Dated this March 15, 2023

RENE L. VALLADARES
Federal Public Defender

AARON D. FORD
Attorney General

/s/ Amelia Bizzaro
Amelia L. Bizzaro
Assistant Chief Federal Public Defender
411 E. Bonneville Ave., Ste 250
Las Vegas, NV 89101
Attorney for Petitioner

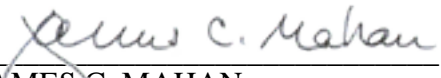
/s/ Adam Woodrum
Adam L. Woodrum (NV Bar No. 10284)
Deputy Attorney General
100 N. Carson Street
Carson City, NV 89701
Attorney for Respondent

ORDER OF THE COURT

The parties have submitted a second stipulation requesting this Court to extend the deadlines in its January 17, 2023, order by thirty-one days. Based on this stipulation and for good cause shown:

IT IS HEREBY ORDERED that the deadlines The parties agreed to ask that this Court extend the deadline to file the notice of the intent to retry Melanie Ochs by thirty-one days, or until Thursday, April 20, 2023; and that the deadline to commence jury selection also continue for 120 days following the filing of the election to retry, so that they may continue these discussions.

Dated March 15, 2023.



JAMES C. MAHAN
UNITED STATES DISTRICT JUDGE